



U.S. Department of Justice

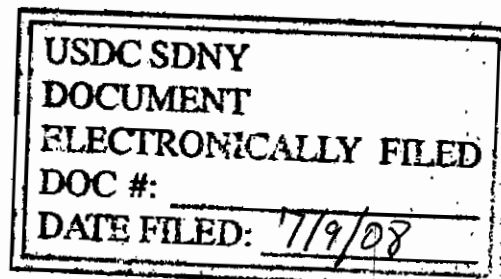
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 9, 2008

By Facsimile

Honorable Denny Chin
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: United States v. Hilden Ruhl Rivas-Sena, 08 Cr. 248 (DC)

Dear Judge Chin:

A conference is scheduled in the above-referenced case for tomorrow, July 10, 2008, at 4:30 p.m. However, the parties are in the middle of plea negotiations and have scheduled a safety valve proffer for July 14, 2008. Accordingly, the parties respectfully request an adjournment of the conference to mid-August, which will provide the parties time to continue their negotiations and, if possible, reach a disposition. Should the parties reach a disposition before then, the Government will inform the Court and schedule a plea.

Should the Court grant the parties' request, the Government further respectfully requests (with the consent of defense counsel) that the Court exclude the time under the Speedy Trial Act until the date of the new conference, because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8). During this period, the parties will continue to discuss a disposition of this case.

*Adjourned to
August 13, 2008,
at 4:30 p.m.
The time until then is
excluded, in the interest*

Respectfully submitted,
MICHAEL J. GARCIA
United States Attorney

PC MJ
By: Parvin Moyne
Assistant United States Attorney
Telephone: (212) 637-2510

cc: Toni Messina, Esq. (by facsimile: 212-571-5507)

*of justice and in light of the
parties' discussions.
SO ORDERED.*

7/9/08

[Signature]
usdc TOTAL P. 02